

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

FRANK DOMINIC DUNDEE,)	CASE NO. 1:19CV01141
)	
Plaintiff,)	JUDGE DAN AARON POLSTER
)	
v.)	MAGISTRATE JUDGE JONATHAN D.
)	GREENBERG
UNIVERSITY HOSPITALS)	
CORPORATION, et al.,)	
)	REPORT OF PARTIES' PLANNING
Defendants.)	MEETING UNDER FED.R.CIV.P. 26(f)
)	AND L.R. 16.3(b)(3)

1. Pursuant to Fed.R.Civ.P. 26(f) and L.R. 16.3(b)(3), a meeting was held on September 10, 2019, and was attended by:

Frank D. Dundee, Pro Se Plaintiff

Donald C. Bulea counsel for Defendants University Hospitals Health Systems, Inc., Danialle Lynce, Jason Glowczewski, Shawn Osborn and Rachael Lerman

2. The Parties:

_____ have exchanged the pre-discovery disclosures required by Fed.R.Civ.P. 26(a)(1) and the Court's prior Order;

 X will exchange such disclosures by October 8, 2019;

_____ have not been required to make initial disclosures.

3. The Parties recommend the following track:

_____ Expedited	<u> X </u> Standard	_____ Complex
_____ Administrative	_____ Mass Tort	

4. This case is suitable for one or more of the following Alternative Dispute Resolution (“ADR”) mechanisms:

_____ Early Neutral Evaluation _____ Mediation _____ Arbitration
_____ Summary Jury Trial _____ Summary Bench Trial

 X Case not suitable for
ADR, *but might be suitable*
after discovery.

5. The Parties _____ do/ X do not consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. §636(c).

6. Recommended Discovery Plan:

(a) Describe the subject on which discovery is to be sought and the nature and extent of discovery.

All claims and defenses raised in the pleadings, including whether or not Defendants perceived Plaintiff as being disabled (no discovery is anticipated in regard to Plaintiff’s medical condition or him actually being disabled as Plaintiff has indicated there was no failure to accommodate by Defendants and this is not part of his claims), Plaintiff’s employment history, the reasons for Defendants’ decisions regarding Plaintiff’s employment and the identity of the persons who made or authorized those decisions, the reasons, scope, and extent of Plaintiff’s meetings with UH’s Employee Assistance Program counselors, and Plaintiff’s alleged damages. The parties anticipate exchanging written discovery (Interrogatories and Requests for Production of Documents) and then conducting four to six depositions.

(b) The Parties have agreed to the following method for conducting discovery of electronically-stored information:

The Parties agree that email is the only type of electronically-stored information that is relevant and discoverable. Defendants will conduct one (1) search of relevant email by searching a set of custodians (to be agreed upon by the Parties) for specific search terms and date range agreed upon by the Parties. Defendants will review the responsive email/ESI for privilege, relevance and confidentiality, and produce relevant and responsive email/ESI in .pst or .pdf format. The need for metadata, if any, will be addressed on a document by document basis. No further email/ESI searches will be performed absent good cause shown and the payment of the costs associated with any additional email/ESI

searches will be discussed and determined at the time any additional searches are performed.

- (c) Discovery cut-off date: March 31, 2020
7. Recommended dispositive motion date: April 17, 2020
8. Recommended cut-off date for amending the pleadings and/or adding additional parties:
October 8, 2019
9. Recommended date for Status Hearing: February 3, 2020
10. Other matters for the attention of the Court:

University Hospitals Health Systems, Inc.'s Motion for Judgment on the Pleadings and the Individual Defendants' Motion to Dismiss are currently pending before the Court.

Respectfully Submitted,

/s/ Frank D. Dundee (Per E-Mail Consent
09/11/2019)

Frank D. Dundee
7707 Amberwood Trail
Boardman, Ohio 44512
E-Mail: fdundee@gmail.com
Pro Se Plaintiff

/s/ Donald C. Bulea

Kerin Lyn Kaminski (00013522)
Donald C. Bulea (0084158)
GIFFEN & KAMINSKI, LLC
1300 East Ninth Street, Suite 1600
Cleveland, Ohio 44114
Telephone: 216-621-5161
Facsimile: 216-621-2399
E-mail: kkaminski@thinkgk.com
dbulea@thinkgk.com

**Counsel for Defendants University Hospitals
Health Systems, University Hospitals Corporation,
Danialle Lynce, Jason Glowczewski, Shawn
Osborne and Rachael Lerman**